

**ENTERED**

December 12, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**TERESA ANN FULKS,**

**Plaintiff,**

**VS.**

**ANDREW SAUL,**

**Defendant.**

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**CIVIL ACTION NO. 4:21-CV-00459**

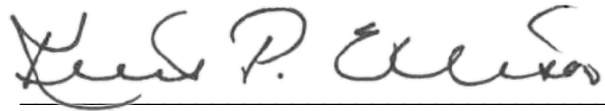
**ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R & R”) of United States Magistrate Judge Dena Hanovice Palermo. (Doc. No. 17). This case was referred to Judge Palermo pursuant to 28 U.S.C. § 636(b)(1)(B) on June 23, 2022. (Doc. No. 12.) The time for filing objections has passed, and no objections were filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error. Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, Defendant’s Motion to Reverse and Remand (Doc. No. 16) is hereby **GRANTED**. The Commissioner’s determination should be **REVERSED**. The case should be **REMANDED**. Plaintiff’s Motion for Summary Judgment (Doc. No. 15) should be **DENIED** as moot. Plaintiff’s complaint (Doc. No. 1) should be **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

**SIGNED** in Houston, Texas, on this the 9th day December, 2022.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive, flowing style with some capitalization. It is positioned above a horizontal line.

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KEITH P. ELLISON

UNITED STATES DISTRICT JUDGE